

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANDRA A. HAGINS,
Petitioner,
v.
JOHN GAY, WARDEN,
Respondent

Case No. C06-5676FDB-KLS

**ORDER ADOPTING REPORT
AND RECOMMENDATION
AND DISMISSING PETITION**

Petitioner Hagins was convicted of murder, arson, a robbery, all in the first degree, on June 21, 2002, and he was sentenced to life in prison without the possibility of parole on July 19, 2002. Hagins brings this *habeas corpus* petition asserting six grounds for relief. The Magistrate Judge has presented a report and recommendation concluding that four grounds for relief are unexhausted and now procedurally barred, and the remaining two grounds should be dismissed on their merits. Hagins has filed objections to the Magistrate Judge's conclusions.

The Report and Recommendation presents a thorough and careful analysis of the issues presented in Hagins' petition. Hagin's objections, however, are little more than a restatement of his earlier arguments, which the Court finds unpersuasive, and the Court agrees with the Magistrate Judge's analysis and conclusions.

The Court, having reviewed the petition for *habeas corpus*, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, and the remaining record, does hereby find

1 and Order:

2 (1) The Court adopts the Report and Recommendation.

3 (2) Petitioner's federal *habeas corpus* petition is DISMISSED.

4 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent[s]
5 and to Judge Strombom.

6 DATED this 17th day of October 2008.

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9 FRANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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